

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROBERT BAILEY,

Petitioner,

v.

MARK NOOTH, Superintendent,
Snake River Correctional Institute,

Respondent.

Civ. No. 2:14-cv-00166-CL

OPINION AND ORDER

MCSHANE, Judge:

Petitioner, *pro se*, brings this petition seeking habeas corpus relief under 28 U.S.C. § 2254. Petitioner seeks to challenge state court convictions for eight counts of Encouraging Child Sexual Abuse in the First Degree, ORS § 163.684, because of alleged involuntary pleas, ineffective assistance of counsel, and prosecutorial misconduct. *See* Writ Habeas Corpus 1–8, 15, ECF No. 1. Magistrate Judge Mark D. Clarke issued a Report and Recommendation on April 2, 2015, recommending denial based upon procedural default. The matter is now before this Court. *See* 28 U.S.C. § 636(b)(1)(B); Fed. R. Civ. P. 72(b).

Because no objections¹ to the Report and Recommendation were timely filed, this Court reviews only the legal principles *de novo*. *See United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc); *see also United States v. Bernhardt*, 840 F.2d 1441, 1445 (9th

¹ Petitioner filed a document titled “Objection to Dismissal of Habeas Corpus Petition and Order.” In that document, petitioner sought appointment of counsel and an extension of time. *See* Petitioner’s Objections 1–2, ECF No. 50. This Court granted petitioner’s request for an extension of time, but denied petitioner’s request for appointment of counsel. Despite this extension, petitioner did not submit a substantive objection to the Report and Recommendation.

Cir. 1988). Upon review, this Court finds no error in Judge Clarke's Report and Recommendation, ECF No. 48.

CONCLUSION

This Court ADOPTS Judge Clarke's Report and Recommendation, ECF No. 48, in full. Petitioner's petition, ECF No. 1, is DENIED.

IT IS SO ORDERED.

DATED this 8th day of June, 2015.



Michael J. McShane
United States District Judge